TL0156-26

Mission permanente du Portugal

Genève

"MEMORANDUM"

East-Timor

February 5, 1991

"AIDE-MÉMOIRE"

- QUESTION OF EAST TIMOR -

1. THE 47 TH SESSION OF THE UNITED NATIONS HUMAN RIGHTS COMMISSION TAKES PLACE IN GENEVA FROM JANUARY 28 UNTIL MARCH 8, 1991.

2. THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ADOPTED, ON AUGUST 30 1990, A RESOLUTION (1990/15) ON THE SITUATION IN EAST TIMOR WHICH, "INTER ALIA", RECOMMENDS TO THE COMMISSION ON HUMAN RIGHTS "THAT IT CONSIDER, AT ITS FORTY-SEVENTH SESSION, THE SITUATION PERTAINING TO HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN EAST TIMOR AND, TO THIS PURPOSE, ASKS THE SECRETARIAT TO TRANSMIT TO THE COMMISSION ALL THE RELIABLE INFORMATION RECEIVED" (SEE ANNEX).

3. IT WILL BE RECALLED THAT EAST-TIMOR IS A NON-SELF-GOVERNING TERRITORY OCCUPIED BY INDONESIA FOR WHICH PORTUGAL IS RESPONSIBLE BEFORE THE UNITED NATIONS AS THE ADMINISTERING POWER.

EAST-TIMOR CONSTITUTES, THEREFORE, ONE OF THE LAST PENDING COLONIAL QUESTIONS. NUMEROUS RESOLUTIONS WERE ADOPTED BOTH BY THE GENERAL ASSEMBLY AND BY THE SECURITY COUNCIL (RESOLUTIONS 384 AND 389) OF THE UNITED NATIONS DEMANDING THE RIGHT TO SELF-DETERMINATION OF ITS PEOPLE AND ITS TERRITORIAL INTEGRITY TO BE RESPECTED, IN ACCORDANCE WITH THE CHARTER AND THE HISTORICAL UNGA RESOLUTIONS 1514, 1541 (XV) AND 2625 (XXV), AS WELL AS THE IMMEDIATE WITHDRAWAL OF THE INDONESIAN ARMED FORCES. IN DEFIANCE OF THE UN, INDONESIA'S ILLEGAL OCCUPATION OF THE TERRITORY OF EAST TIMOR PERSISTS SINCE THE MILITARY INVASION UNDERTAKEN ON DECEMBER 7 TH, 1975, TOGETHER WITH THE DENIAL OF A FREE AND VALID EXERCISE OF THE RIGHT TO SELF-DETERMINATION.

4. ON THE OTHER HAND, THE MILITARY INVASION AND THE ENSUING OCCUPATION BY INDONESIA OF EAST TIMOR WERE ACCOMPANIED BY MASSIVE HUMAN RIGHTS ABUSES. THE OCCUPIERS MET WITH FIERCE ARMED RESISTANCE, NOW LESS ACTIVE BUT YET UNDAUNTED. ACCORDING TO FIGURES PROVIDED BY THE INDONESIAN APPOINTED "GOVERNOR" OF EAST TIMOR HIMSELF, MORE THAN 100,000 PEOPLE OUT OF A TOTAL POPULATION OF 680,000 WOULD HAVE PERISHED FROM 1975 TO 1985, AS A RESULT OF THE VIOLENCE, FAMINE AND DISEASE WHICH SPREAD ALL OVER THE COUNTRY. OTHER SOURCES, HOWEVER, CALCULATE THE LOSS OF LIVES TO BE NO LESS THAN 200,000.

5. THE INDONESIAN AUTHORITIES RAPIDLY IMPOSED SEVERE RESTRICTIONS ON THE ACCESS TO THE TERRITORY (INCLUDING POSTAL AND TELEPHONE CONTROLS), VIRTUALLY CLOSING IT TO THE OUTSIDE WORLD. REPORTS ON THE SITUATION THEREIN ACTUALLY PREVAILLING WERE, THROUGHOUT THE YEARS, SCARCE AND HARDLY VERIFIABLE. ON JANUARY 1, 1989, IT WAS PROCLAIMED THAT EAST TIMOR HAD BECOME A FULL "INDONESIAN PROVINCE", WITH THE SAME STATUTE AS ANY OTHER PROVINCE, AND THAT THE ACESS TO IT WOULD BE SUBMITTED TO THE SAME REQUIREMENTS.

HOWEVER, THE ACCESS TO FIVE OF THE THIRTEEN DISTRICTS OF THE TERRITORY IS STILL RESTRICTED. IN THOSE FIVE DISTRICTS (SITUATED IN THE CENTRAL AND EASTERN PART OF THE COUNTRY) LIVES MOST OF THE POPULATION AND IT IS THERE THE GUERRILLA IS BELIEVED TO BE MORE ACTIVE. IT WAS RECENTLY INDICATED THAT A NUMBER OF MILITARY CHECKPOINTS WHICH HAD BEEN ABANDONED IN 1989 HAVE BEEN REOPENED. VISITS TO EAST TIMOR BY JOURNALISTS ARE STILL SUBJECT TO SEVERE CONDITIONING. HUMAN RIGHTS ORGANIZATIONS HAVE BEEN PREVENTED FROM ACCEDING TO IT, IN SPITE OF THE RESOLUTIONS ALREADY ADOPTED BY THE SUB-COMMITTEE FOR THE PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON THIS SUBJECT.

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6. THE 46 TH SESSION OF THE HUMAN RIGHTS COMISSION, HELD LAST YEAR, TOOK PLACE IN THE AFTERMATH OF TWO EVENTS THAT WERE TO SET THE PATTERN FOR FUTURE DAYS TO COME: THE INCIDENTS OCCURRED DURING THE VISITS PAID TO EAST-TIMOR BY HIS HOLLINESS POPE JOHN PAUL II, IN OCTOBER 1989, AND BY THE U.S. AMBASSADOR, JOHN MONJO, IN JANUARY 1990.

IN BOTH OCCASIONS, YOUNG EAST-TIMORESE MANAGED TO STAGE PEACEFUL DEMONSTRATIONS AGAINST INDONESIAN RULE, FOR THE EXERCISE OF THEIR LEGITIMATE RIGHT TO SELF-DETERMINATION AND FOR THE ENJOYMENT OF THEIR BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS. THE BRUTALITY OF THE AUTHORITIES REACTIONS, ROUGHLY CHARGING AND BEATING UP THE DEMONSTRATORS, DID NOT GO UNNOTICED AND PROMPTED MANY OF THE MOST KNOWN AND AUTORITATIVE INTERNATIONAL MEDIA TO REVEAL, MOST OF THEM FOR THE FIRST TIME, THE REALITY OF LIFE IN THAT SMALL COLONIAL TERRITORY AND THE GRAVITY AND EXTENSION OF THE HUMAN RIGHTS VIOLATIONS ENDURED BY ITS PEOPLE UNDER THE PERSISTENT ILLEGAL OCCUPATION CARRIED OUT BY ITS POWERFUL NEIGHBOUR.

7. THE YEAR 1990 MARKED THE 15 TH ANNIVERSARY OF EAST-TIMOR'S INVASION AND ILLEGAL OCCUPATION. IT COULD BE EXPECTED THAT THE PASSING OF TIME AND THE EMERGENCE OF NEW GENERATIONS WHO HAVE NEVER EXPERIENCED ANYTHING BUT THE PRESENT RULE WOULD HAVE CONSOLIDATED THE PREVAILING SITUATION AS A "FAIT ACCOMPLI" THAT WOULD QUIETLY FADE AWAY FROM WORLD'S MEMORY.

8. BUT, INSTEAD OF A "FAIT ACCOMPLI", WE ARE INDEED CONFRONTED WITH A "STATUS QUO" WHICH IS UTTERLY UNACCEPTABLE, SINCE THE INTERNATIONAL COMMUNITY CANNOT, IN THE END OF THIS TWENTIETH CENTURY, TOLERATE MILITARY CONQUEST AS A SOUND CLAIM FOR TERRITORIAL ENLARGEMENT. THIS HAS BEEN DEMONSTRATED BY THE PRESENT CRISIS PROMPTED BY THE BRUTAL INVASION AND OCCUPATION OF KUWAIT. THE INTERNATIONAL COMMUNITY, NAMELY THE UNITED NATIONS

NATIONS GENERAL ASSEMBLY AND THE SECURITY COUNCIL, HAVE REACTED FAST AND FIRMLY TO THAT INTOLERABLE ACT OF AGRESSION, RIGHTLY AIMING AT RESTORING LEGALITY AND THE INALIENABLE RIGHTS OF THE KUWAITI PEOPLE DEPRIVED OF THEIR INDEPENDENCE AND FREEDOM.

PORTUGAL SUPPORTS UNEQUIVOCALLY THE UNITED NATIONS IN THEIR EFFORTS TO COUNTER THIS MOST SERIOUS INFRINGEMENT TO THE INTERNATIONAL LAW. CONSISTENTLY WITH THIS STANCE, WE RECALL THAT THE WORLD SHOULD NOT TURN A BLIND EYE TO SIMILAR CASES LIKE EAST-TIMOR, WHERE RESOLUTIONS OF THE SECURITY COUNCIL REJECTING THE INVASION AND THE ENSUING ILLEGAL MILITARY OCCUPATION OF A TERRITORY BY ITS POWERFUL NEIGHBOUR, AS WELL AS CALLING FOR THE RESPECT OF ITS TERRITORIAL INTEGRITY AND FOR THE FUNDAMENTAL RIGHTS OF ITS PEOPLE, ARE STILL TO BE COMPLIED WITH.

9. AN OVERALL DISTURBING PICTURE OF THE SITUATION IN EAST TIMOR WAS CONVEYED LAST YEAR BY A REPORT PREPARED BY A TEAM OF SOCIAL SCIENTISTS BELONGING TO THE PRESTIGIOUS GADJAH MADA UNIVERSITY OF JOGYAKARTA (INDONESIA) ON SOCIAL RELATIONSHIPS IN THE TERRITORY. IT REFERS, NAMELY, TO THE CONTINUANCE OF A "WAR SITUATION" AND OF A "WAR ECONOMY". EAST TIMORESE SOCIETY IS SAID TO BE STILL IN A "TRAUMA" AND THAT "PHYSICAL PROGRESS HAS FAILED TO SOLVE THE SOCIAL, ECONOMIC AND POLITICAL PROBLEMS RESULTING FROM THE PROCESS OF INTEGRATION WHICH CAUSED A QUITE HEAVY LOSS OF LIFE".

A CERTAIN PASSAGE OF THE TEXT POINTS OUT THAT "WHEREAS THE INDONESIAN GOVERNMENT CONSIDERS THAT INTEGRATION HAS RESOLVED THE MATTER OF DECOLONIZATION, EAST TIMORESE SOCIETY DOES NOT SEE IT IN THAT LIGHT".

OTHER PARTS OF THE REPORT DEAL WITH SUCH MATTERS AS: THE NEED TO HALT THE SO-CALLED "RESETTLEMENT PROGRAMME" (WHICH HAS LEAD TO THE RELOCATION OF ABOUT 80% OF THE EAST TIMORESE VILLAGES FOR SECURITY

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REASONS, DISRUPTING THE RURAL ECONOMY, THE CULTURE AND THE FAMILY AND SOCIAL LINKS OF A VAST NUMBER OF EAST-TIMORESE, LIVING IN A LARGELY RURAL SOCIETY); THE IMPACT OF A MASSIVE INFLUX OF SETTLERS MOVING IN FROM ALL PARTS OF INDONESIA; THE LACK OF JOB OPPORTUNITIES TO THE YOUNG PEOPLE; AN "OVERDOSE OF MILITARY PRESENCE", STRESSING ITS DOMINATING ROLE BOTH ON THE ADMINISTRATION AND ON THE ECONOMY; THE LACK OF CREDIBILITY OF THE LOCAL AUTHORITIES AND THE FEELING THAT THE PEOPLE ARE NOW "BEING COLONIZED" THROUGH NEW FORMS AND STRUCTURES.

10. REGARDING THE HUMAN RIGHTS SITUATION PREVAILING IN EAST TIMOR, AMNESTY INTERNATIONAL SAID TO BE CONCERNED WITH A "PATTERN WHICH HAS EMERGED IN THE LAST TWO YEARS OF SHORT-TERM DETENTION, ILL-TREATMENT AND TORTURE OF ALLEGED POLITICAL OPPONENTS OF INDONESIAN RULE" (DOC. IOR 41/15/90, OF NOVEMBER 1990, PAGE 16).

DIFFERENT TESTIMONIES AND SOURCES COINCIDE IN POINTING OUT THAT THE SITUATION LAST YEAR HAS WORSENED SINCE EARLY SEPTEMBER, WHEN A PEACEFUL DEMONSTRATION WAS HELD DURING THE OPEN AIR MASS IN DILI MARKING (ON SEPTEMBER 4) THE 50 TH ANNIVERSARY OF THE FUNDING OF DILI DIOCESE. AT THE END OF THE CEREMONY BANNERS AND POSTERS CALLING FOR INDEPENDENCE WERE RAISED AND SLOGANS WERE CHANTED BY A GROUP OF STUDENTS. MANY OF THE TEN THOUSAND PEOPLE ATTENDING THE MASS WERE SAID TO HAVE JOINED IN THE DEMONSTRATION. A VIOLENT RESPONSE ON THE SPOT BY THE SECURITY FORCES WAS AVERTED, BUT THE TENSION MOUNTED IN THE CAPITAL IMMEDIATELY AFTER AND A NUMBER OF DETENTIONS WERE REPORTED DURING THE FOLLOWING DAYS. ACCORDING TO "AMNESTY INTERNATIONAL" DOZENS OF YOUNG PEOPLE WERE REPORTEDLY DETAINED IN THE DAYS AND WEEKS SUBSEQUENT TO THE DEMONSTRATION.

NEW INCIDENTS OCCURRED MID-OCTOBER IN DILI, WHEN STUDENTS IN TWO HIGH-SCHOOLS ALLEGEDLY EXPRESSED PRO-INDEPENDENCE SYMPATIES. CLASHES BETWEEN THE SECURITY AUTHORITIES AND THE YOUNGSTERS LEAD TO SEVERAL MORE DOZENS OF ARRESTS. DETENTIONS WOULD HAVE TAKEN PLACE ALSO

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IN LIQUIÇÁ, MALIANA AND BAUCAU CONTINUING TILL DECEMBER. MORE THAN 100 PEOPLE (INCLUDING ALSO CIVIL SERVANTS AND TEACHERS) SEEM TO HAVE BEEN SUBMITTED TO THIS PRACTICE.

11. THE DETENTIONS SEEM TO HAVE GENERALLY PROCEEDED ACCORDING TO THE PATTERN REFERRED TO ABOVE. THEY WERE CARRIED OUT ARBITRARILY AND THE VICTIMS WERE HELD INCOMMUNICADO IN POLICE, MILITARY OR EVEN IN UNOFFICIAL DETENTION CENTRES FOR HOURS, DAYS OR WEEKS. IN MANY CASES THEIR WHEREABOUTS REMAINED UNKNOWN. MOST HAVE UNDERGONE SEVERE BEATINGS, ILL-TREATMENT OR DIFFERENT FORMS OF TORTURE, BEFORE BEING RELEASED WITHOUT ANY FORMAL CHARGE.

12. ONE IS LEAD TO BELIEVE THIS IS A PART OF AN OVERALL STRATEGY AIMED AT INTIMIDATING AND SILENCING THE REAL, SUSPECTED OR MERELY POTENTIAL OPPONENTS OF INDONESIA'S PRESENT ILLEGAL RULE IN EAST TIMOR.

THE ATMOSPHERE OF FEAR AND TENSION PREVAILING IN THE TERRITORY HAS BEEN LATELY FURTHER AGGRAVATED BY THE ACTION OF MASKED GANGS, OPERATING DURING THE NIGHT IN DILI, WHICH HAVE BEEN RESPONSIBLE FOR RANDOM BEATINGS AND MANY OF THE ARRESTS CAUSING A VIRTUAL CURFEW IN THE CITY."GOVERNOR" MÁRIO CARRASCALÃO HIMSELF WAS QUOTED AS HAVING ADMITTED THAT MILITARY AND POLICEMEN WERE INVOLVED IN WHAT HE BELIEVED WAS A PROVOCATIVE ACTION AIMED AT HARDENING GOVERNMENT'S POLICIES TOWARDS THE EAST TIMORESE.

13. THE EVENTS OF SEPTEMBER AND OCTOBER IN DILI RECEIVED CONSIDERABLE COVERAGE IN SOME OF THE MOST KNOWN INTERNATIONAL MEDIA. STEVE ERLANGER, A NEW YORK TIMES CORRESPONDANT, WROTE ON 21.10.90 THAT EAST TIMOR "REMAINS A SAD AND TERRIFYING PLACE", RECALLING THE TRAGIC EXPERIENCE OF PAST YEARS, AND EXPRESSING THE VIEW THAT DILI "HAS THE

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FEELING OF A POLICE STATE", WHERE "VISITORS ARE MONITORED; POLICE AND MILITARY AGENTS LIVE AT HOTELS; TOURIST GUIDES ARE QUESTIONED ABOUT ITINERARIES; ORDINARY CITIZENS DO NOT WANT TO TALK TO A FOREIGNER IN PUBLIC; PRIESTS ARE NERVOUS ABOUT BEING SEEN IN CONVERSATION".

14. THERE HAVE BEEN ALSO PERSISTENT REPORTS ABOUT SERIOUS HUMAN RIGHTS VIOLATIONS, DURING 1990, IN THE COUNTRYSIDE WHERE, FOR OBVIOUS REASONS, THEY CANNOT BE AS EASILY DETECTED AND DOCUMENTED AS THOSE OCCURRING IN THE CAPITAL. THE JAKARTA BASED INSTITUTE FOR THE DEFENSE OF HUMAN RIGHTS DENOUNCED SIXTEEN EXTRAJUDICIAL EXECUTIONS AS HAVING TAKEN PLACE TILL JUNE 1990. AMNESTY INTERNATIONAL DESCRIBED THE CASES OF CANDIDO AMARAL (EXECUTED BY A FIRING SQUAD ON MARCH 29, IN LALEREK-MUTIN) AND OF KASA BUI (A WOMAN RAPED AND KILLED ON AUGUST 29, IN VIQUEQUE REGION).

OTHER SOURCES, HOWEVER, SPEAK ALSO OF ELEVEN PERSONS EXECUTED IN MARCH, MAY, AUGUST AND SEPTEMBER, IN THE COUNTIES OF BAUCAU, AINARO, VIQUEQUE (ONE OF THEM BEING KASA BUI, MENTIONNED TO ABOVE) AND EVEN DILI (DOMINGOS MAU RADI, ALLEGEDLY KILLED BY ONE OF THE MASKED GANGS, ON SEPTEMBER 10). IN THE REGION OF LOSPALOS FIFTEEN PEOPLE ARE SAID TO HAVE BEEN KILLED, SINCE JANUARY TO JULY 1990, BY SOLDIERS OF BATALLIONS 412 AND 745 WHILE PATROLLING IN THE MOUNTAINS, ALLEGEDLY FOR BELONGING TO THE GUERRILLA'S UNDERGROUND ORGANIZATION.

THE COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1990, INDONESIA, JUST RELEASED BY THE U.S. DEPARTMENT OF STATE, SAYS THAT "AT LEAST 15 CIVILIANS WERE KILLED BY THE MILITARY IN 1990".

AMNESTY INTERNATIONAL POINTS OUT THAT THIS KIND OF REPORTS ARE DIFFICULT TO VERIFY, BUT, IN VIEW OF PAST EXPERIENCE, CALLS UPON THE INDONESIAN GOVERNMENT TO INVESTIGATE THEM AND TO MAKE PUBLIC THE RESULTS OF SUCH ON INVESTIGATION.

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15. AGAIN LAST YEAR, SEVERAL GOVERNMMENTS, PARLIAMENTS, HUMANITARIAN INSTITUTIONS AND DIFFERENT INTERNATIONAL CONFERENCES AND GATHERINGS HAVE EXPRESSED CONCERN OVER THE SITUATION PREVAILING IN EAST TIMOR. ON BEHALF OF THE TWELVE MEMBER COUNTRIES OF THE EEC, THE PRESIDENCY (ITALY) REITERATED BEFORE THE UNGA THIRD COMMITTEE, IN NOVEMBER, THEIR CONCERN OVER THE DISQUIETING RECENT REPORTS OF HUMAN RIGHTS VIOLATIONS, INCLUDING KILLINGS, TORTURE AND ILL-TREATMENT.

TWO HUNDRED AND TWENTY THREE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES (THE LARGEST NUMBER EVER ON THIS ISSUE) ADDRESSED, ON 19.11.90, A LETTER TO SECRETARY OF STATE JAMES BAKER ALLUDING, AMONG OTHER POINTS, TO THE "REPORTS OF REPEATED, UNEXPLAINED DETENTION AND ABUSE, IN SOME CASES INCLUDING TORTURE, OF A BROAD GROUP OF INDIVIDUALS" IN EAST TIMOR. THE SAME LETTER INDICATED THE USE OF EAST TIMORESE AS "HUMAN SHIELDS", IN MILITARY OPERATIONS AGAINST PRO-INDEPENDENCE GUERRILLAS IN THE COUNTRYSIDE.

THE ACP/EEC JOINT ASSEMBLY (COMPOSED OF PARLIAMENTARIANS FROM 69 COUNTRIES OF AFRICA, THE CARIBE, THE PACIFIC AND EUROPE), MEETING IN LUXEMBOURG ON 26.5.90, CALLED FOR THE OPENING UP OF A FULL-SCALE AND INDEPENDENT JUDICIAL INQUIRY FORTHWITH INTO REPORTS OF ARBITRARY ARREST AND MISTREATMENT OF PEACEFUL DEMONSTRATORS IN EAST TIMOR. THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE, MEETING IN WARSAW IN SEPTEMBER, DECIDED THAT A REPORT REGARDING THE VIOLATION OF HUMAN RIGHTS IN EAST TIMOR SHOULD BE PREPARED. THE SOCIALIST INTERNATIONAL COUNCIL (CAIRO, 22-23.5.90) ADOPTED ALSO A RESOLUTION CONDEMNING THE CONTINUED VIOLATION OF HUMAN RIGHTS AND THE DESTRUCTION OF THE CULTURAL IDENTITY OF THE PEOPLE OF EAST TIMOR.

PETITIONERS (INCLUDING EAST TIMORESE) AND NGO'S ADRESSED THIS ISSUE AT LENGHT, BOTH BEFORE THE SUB-COMMITTEE FOR THE PREVENTION OF DESCRIMINATION AND THE PROTECTION OF MINORITIES, AND THE UN SPECIAL COMMITTEE FOR DECOLONIZATION, IN AUGUST LAST.

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16. THE MANDATE OF THE UNITED NATIONS COMMISSION FOR HUMAN RIGHTS MAKES IT THE MOST APPROPRIATE BODY TO MONITOR THE COMPLIANCE WITH THE UNIVERSAL PRINCIPLES AND RULES CONCERNING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF COUNTRIES AND INDIVIDUALS.

PORTUGAL HAS CONSISTENTLY REAFFIRMED ITS WILLINGNESS TO ACHIEVE, THROUGH DIALOGUE AND NEGOTIATION, UNDER THE AUSPICES OF THE SECRETARY-GENERAL OF THE UNITED NATIONS, AN INTERNATIONALLY ACCEPTABLE SETTLEMENT OF THE QUESTION OF EAST TIMOR, WITH DUE RESPECT OF THE LEGITIMATE RIGHTS OF ITS PEOPLE AND OF THE U.N.CHARTER.

THE PERSISTANCE OF INTOLERABLE HUMAN RIGHTS ABUSES IN EAST TIMOR, HOWEVER, HAS VERY NEGATIVELY AFFECTED THE ATMOSPHERE NEEDED TO LEAD THAT PROCESS TO A SUCCESSFUL CONCLUSION. THOSE ABUSES MUST BE IMMEDIATELY STOPPED AND WE BELIEVE THAT THE HUMAN RIGHTS COMMISSION AND ITS MEMBERS HAVE A VERY IMPORTANT ROLE TO PLAY IN THE PURSUANCE OF THIS GOAL.

GENEVA, FEBRUARY 5, 1991

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1990/15. Situation in East Timor

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the universally accepted rules of international humanitarian law,

Noting the changing international situation which is conducive to dialogue and negotiations as the most appropriate way of resolving local, national and inter-State disputes in order to guarantee full respect for human rights,

Recalling General Assembly resolution 37/30 of 23 November 1982 and the unanimous Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976,

Recalling its resolutions 1982/20 of 8 September 1982, 1983/26 of 6 September 1983, 1984/24 of 29 August 1984, 1987/13 of 2 September 1987 and 1989/7 of 31 August 1989 concerning the situation in East Timor,

Considering that according to reliable allegations, the people of East Timor continue to be subjected to gross violations of human rights,

Regretting the restrictions imposed by local military authorities upon the activities of specialized non-governmental organizations,

1. Welcomes the good offices of the Secretary-General and encourages their exercise as mandated by General Assembly resolution 37/30 of 23 November 1982 with a view to exploring the avenues for finding a settlement guaranteeing full respect for human rights in East Timor;

2. Requests the Indonesian authorities to facilitate the access to the territory of international humanitarian and development organizations;

3. Appeals to all sides to exercise restraint and, guided by the spirit of dialogue and negotiations, to co-operate fully with the Secretary-General in the exercise of his good offices with a view to finding a durable settlement of the conflict;

4. Recommends to the Commission on Human Rights that it consider, at its forty-seventh session, the situation pertaining to human rights and fundamental freedoms in East Timor and, to this purpose, asks the Secretariat to transmit to the Commission all the reliable information received.